

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**TEXAS ADVANCED  
OPTOELECTRONIC  
SOLUTIONS, INC.,**

**Plaintiff,**

**V.**

**INTERSIL  
CORPORATION,**

**Defendant.**

**S S S S S S S S S**

**C.A. No. 4:08-cv-451**

## JURY TRIAL DEMANDED

**INTERSIL CORPORATION'S MOTION TO EXPEDITE BRIEFING ON ITS SECOND MOTION TO COMPEL DISCOVERY RELATED TO AUSTRIAMICROSYSTEMS'S ACQUISITION OF TEXAS ADVANCED OPTOELECTRONIC SOULTIONS, INC.**

Intersil respectfully requests that the Court set an expedited briefing schedule for Intersil's Second Motion to Compel Discovery Related to Austriamicrosystems's Acquisition of Texas Advanced Optoelectronic Solutions, Inc., which is being filed concurrently with this motion. Specifically, Intersil asks the Court to order that TAOS respond to the Second Motion to Compel and for Sanctions within two or three business days of the filing date of the Second to Compel and for Sanctions. This relief is requested because Intersil is conducting the Court-ordered deposition of Michael Wachsler-Markowitsch, the CFO of ams AG and director of AMS-TAOS USA Inc., in Austria on **May 27, 2014**, and Intersil needs to be able to question the witness about the valuations that austriamicrosystems prepared. Further, Defendant's expert reports, to which are due shortly thereafter on June 13, 2014. Also, fact-discovery closed on April 30, 2014, and, despite Judge Bush ordering production of these materials on April 24, 2014, TAOS still has not produced the valuations requested in the Second Motion to Compel. A proposed order is submitted herewith.

Dated: May 19, 2014

Respectfully submitted,

/s/ Jeffrey R. Bragalone

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**ATTORNEYS FOR DEFENDANT  
INTERSIL CORPORATION**

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Intersil has attempted in good faith to confer with counsel for TAOS concerning the relief sought in this Motion and have been unable to resolve the dispute. On May 14, 2014, the undersigned counsel for Intersil, along with Mr. Kimble, discussed with Messrs. Alibhai and McCabe and Ms. Chen, the substance of this Motion for Expedite Briefing, after which counsel for TAOS requested a copy of the motion to review. Counsel for Intersil sent a copy of the motion, but counsel for TAOS refused to agree to expedited briefing, despite the upcoming deposition of Mr. Wachsler-Markowitsch in Austria on Tuesday, May 27, 2014.

/s/ Jeffrey R. Bragalone  
Jeffrey R. Bragalone

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 19<sup>th</sup> day of May, 2014, with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3).

/s/ Justin B. Kimble